

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

----- X

SEAN VINCENT and LORENZO SERNA ,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al,

**DECLARATION OF DARA L.  
WEISS IN SUPPORT OF  
DEFENDANTS' MOTION TO  
DISMISS**

14 CV 7744

Defendants.

----- X

**DARA L. WEISS** declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

I am a Senior Counsel in the Office of Zachary Carter, Corporation Counsel of the City of New York, attorney for defendants herein, as such, I am familiar with the facts stated below. I submit this declaration in support of defendants' Motion to Dismiss the Complaint pursuant to Rule 12(b)(6), and 12(c) of the Federal Rules of Civil Procedure.

1. Annexed as Exhibit "A" is a copy of plaintiff's Complaint filed September 24, 2014, docket entry [1]. Plaintiff brought Constitutional claims under the First, Fourth and Fourteenth Amendments.

2. Annexed as Exhibit "B" is a copy of the Certificate of Disposition related to four of plaintiff's arrests, which show that the four cases were consolidated, and the plaintiff pled guilty to a violation of Penal Law 240.20, disorderly conduct.

Dated: New York, New York  
April 4, 2016

ZACHARY CARTER  
Corporation Counsel of the City of New York  
*Attorney for Defendants*  
100 Church Street  
New York, New York 10007  
(212) 356-3517

By: \_\_\_\_\_ /s/  
Dara L. Weiss  
Senior Counsel  
Special Federal Litigation Division

TO: The Honorable Vernon S. Broderick  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Wylie Stecklow  
Stecklow and Thompson  
217 Centre Street, 6<sup>th</sup> Floor  
New York, NY 10013